



UNITED STATES DEPARTMENT OF COMMERCE  
National Telecommunications and  
Information Administration  
Washington, D.C. 20230  
December 7, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

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DEC - 7 2004

Federal Communications Commission  
Office of Secretary

RE: *Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications*, WT Docket No. 00-48, Second Report and Order, *Amendment of the Commission's Rules Concerning Maritime Communications*, PR Docket No. 92-257, Sixth Report and Order, FCC 04-3

Dear Ms. Dortch:

Enclosed please find an original and two copies of a letter to you from Fredrick R. Wentland, Associate Administrator, Office of Spectrum Management, National Telecommunications and Information Administration, U.S. Department of Commerce, in the above-referenced docket. Copies of this letter have been delivered via facsimile to Mr. Muleta, Mr. Wilhelm, Mr. Stone, and Mr. Tobias of the Commission's Wireless Telecommunications Bureau. Please direct any questions you may have to the undersigned.

Respectfully submitted,

Kathy D. Smith  
Chief Counsel

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**The Assistant Secretary for Communications**  
**and Information**  
Washington, D.C. 20230

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RE: *Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications*, WT Docket No. 00-48, Second Report and Order, *Amendment of the Commission's Rules Concerning Maritime Communications*, PR Docket No. 92-257, Sixth Report and Order, FCC 04-3

Dear Ms. Dortch:

Since the adoption of the regulations in the above-referenced proceedings, it has come to the attention of the National Telecommunications and Information Administration (NTIA), through the U.S. Coast Guard, that Inmarsat will cease to provide Inmarsat E service as of December 1, 2006.<sup>1</sup> The U.S. Coast Guard is concerned that this development necessitates deletion of the recently adopted amendments to Part 80 of the Commission's Rules that provide for the certification and use of Inmarsat E EPIRB stations.<sup>2</sup> NTIA will work with the Commission to take any steps necessary to amend the Commission's rules accordingly.

Respectfully submitted,

Fredrick R. Wentland  
Associate Administrator  
Office of Spectrum Management

cc: John Muleta, Chief, Wireless Telecommunications Bureau  
Michael Wilhelm, Wireless Telecommunications Bureau  
Scott Stone, Wireless Telecommunications Bureau  
Jeffrey Tobias, Wireless Telecommunications Bureau

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<sup>1</sup> The regulations were adopted on January 8, 2004 and released on February 12, 2004. See 19 F.C.C. Rcd. 3120 (2004). Public notice of the regulations appeared in the *Federal Register* on November 8, 2004. See 69 Fed. Reg. 64664 (2004).

<sup>2</sup> See Memorandum from Joe D. Hersey, Jr., Interdepartment Radio Advisory Committee (IRAC) Representative, U.S. Coast Guard, to Executive Secretary, IRAC (dated Nov. 17, 2004) (enclosed).

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

2100 Second Street, S.W.  
Washington, DC 20593-0001  
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17 Nov 2004

TO: Executive Secretary, IRAC

FROM: Joseph D. Hersey, Jr.  
USCG IRAC Representative

A handwritten signature in cursive script, appearing to read "J. Hersey Jr.", written in dark ink.

SUBJECT: Petition for Partial Reconsideration – Discontinuance of Inmarsat EPIRB System

1. The International Mobile Satellite Organization advised the International Maritime Organization's Maritime Safety Committee that Inmarsat "will close the L-Band EPIRB service as from 1 December 2006" (see enclosed). FCC's Second Report and Order, Sixth Report and Order, and Second Further Notice of Proposed Rulemaking, WT Docket No. 00-48 (IRAC Doc. 33418) established new regulations for certifying and using this device. This new regulation was announced in the Federal Register on 8 November. Unfortunately this Inmarsat announcement was unexpected and not in time to effect this recently adopted rulemaking.

2. In accord with the US Coast Guard's goal to discontinue the purchase and use of maritime distress equipment intended for use with systems that are no longer in service, I request you ask FCC to reconsider and remove this Inmarsat L-band regulation recently established in Part 80 of the FCC regulations.

Enclosure



MARITIME SAFETY COMMITTEE  
79th session  
Agenda item 22

MSC 79/22/7  
16 September 2004  
Original: ENGLISH

**ANY OTHER BUSINESS**

**GMDSS - Future viability of the L-band EPIRB system**

**Submitted by the International Mobile Satellite Organization (IMSO)**

**SUMMARY**

**Executive summary:** IMSO has been notified by Inmarsat of significant issues affecting the future viability of the Inmarsat L-Band EPIRB system and of its consequent decision to cease providing the Inmarsat E service from 1 December 2006

**Action to be taken:** Paragraph 16

**Related documents:** None

**Introduction**

1 This document provides essential information regarding the past, present and future status of the L-Band emergency position indicating radio beacon (EPIRB) service, known as Inmarsat-E.

**Inmarsat L-band EPIRB background**

2 After extensive initial development, testing and gradual roll-out in the 1980s and early 1990s, the Inmarsat L-Band EPIRB system became operational globally on 30 January 1997.

3 On top of the original and significant investment by European Governments and the European Space Agency in the 1980s and 1990s, Inmarsat has invested over \$10 million in the L-Band EPIRB programme to date.

4 The investment by Inmarsat includes developing enhancements to the L-Band system that provide a return/acknowledgement channel to the EPIRB. This enhanced system is known as Inmarsat E+. Much additional ground infrastructure equipment, designed, developed and built by Inmarsat, has already been installed globally at Land Earth Stations and at Rescue Co-ordination Centres.

*For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.*

5 However, after almost eight years of 100% operational availability, fewer than one hundred Inmarsat L-band EPIRBs are fitted on SOLAS ships.

6 At the end of August 2004, the entire global population of L-Band EPIRBs remained below 1,300, with over 60% of this number being fitted on leisure craft. The growth rate has been very slow and almost constant since January 1997.

7 Retail costs of L-Band EPIRBs are significantly higher than for near-equivalent 406 MHz EPIRBs with GPS capability. This has been a significant contributory factor in the small population and low growth rate. It has therefore never been possible to increase numbers to a level where volume production efficiencies could make prices more competitive. This situation is not expected to change significantly in the foreseeable future.

#### **Future needs for the L-Band EPIRB system**

8 The digital receiver processors (DRPs) in the Inmarsat L-Band ground infrastructure equipment are ageing and must be replaced in their global entirety before the end of 2006. The current maintenance contracts expire at the end of 2006 and the maintenance contractors advised recently that these will not be renewed due to anticipated unavailability of spare parts after that time.

9 Estimated costs for replacing the DRPs have now been obtained by Inmarsat and these show the requirement for a minimum of \$3 million immediately, with final costs expected realistically to be nearer \$4 million.

10 Even with such an additional investment in ground infrastructure, it is unlikely that the numbers of L-Band EPIRBs will ever reach significant levels, especially when compared to the existing 406 MHz EPIRB population of 314,000, as published by COSPAS-SARSAT.

#### **Inmarsat position**

11 IMSO has been advised by Inmarsat of its significant concerns for the future viability of the L-Band EPIRB system, particularly given the very small manufacturing base. Despite considerable endeavour by Inmarsat, no new manufacturers are prepared to commit to produce L-Band EPIRBs. Perhaps more significantly, no manufacturer whatsoever, including the existing L-Band EPIRB manufacturers, is prepared to commit to manufacturing an Inmarsat-E+ EPIRB.

12 Inmarsat remains committed to providing services that strengthen safety of life at sea and believes that its future investment in this area could be better directed to other Inmarsat safety services, including those for the future, beyond what it provides today and on which it is already working and investing.

13 After in depth consultations between the IMSO Secretariat and the company, Inmarsat has advised IMSO that it will close the L-Band EPIRB service as from 1 December 2006, with the following commitments:

- .1 all existing users of L-Band EPIRBs will receive a replacement 406 MHz EPIRB with GPS capability free of charge;
- .2 this replacement programme will be carried out during 2006;

- .3 using its comprehensive registration database, Inmarsat will notify all existing L-Band EPIRB users before 1 December 2005;
- .4 the replacement programme will address all users of L-Band EPIRBs, including leisure users, not just those within the SOLAS Convention. EPIRBs will be replaced on an equivalent "like-for-like" basis; and
- .5 no existing L-Band EPIRB user will therefore be left without equivalent EPIRB cover.

#### **IMSO position**

14 Inmarsat has made all relevant market, financial and technical information on the L-Band EPIRB system and programme available to IMSO.

15 Based upon a realistic analysis of the comprehensive information received from Inmarsat, IMSO concludes that there is no reasonable justification for requiring Inmarsat to make the considerable investment needed to ensure continued provision of the Inmarsat-E service beyond 1 December 2006 and therefore has reluctantly agreed that the service should be closed on that date, subject to the commitments given by the company in paragraphs 13.1 to 13.5 above.

#### **Action requested of the Committee**

- 16 The Committee is invited to note the contents of this report and:
- .1 concur with the conclusions of IMSO contained within paragraph 15 above;
  - .2 request IMSO to oversee the orderly closure of the L-Band service, ensuring that no existing L-Band EPIRB user is left without equivalent EPIRB cover at any time; and
  - .3 consider whether any consequential amendments may be required to SOLAS chapter IV.
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